

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Michael W. Wilhite

Docket No. 5:14-MJ-1858-1

Petition for Action on Probation

COMES NOW Van R. Freeman, Jr., Deputy Chief U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Michael W. Wilhite, who, upon an earlier plea of guilty to 18 U.S.C. § 13, NCGS 20-138.1, Driving While Impaired Level 4, was sentenced by the Honorable Kimberly A. Swank, U.S. Magistrate Judge, on June 15, 2016, to 12 months of probation under the conditions adopted by the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On July 11, 2016, the defendant tested positive for the use of marijuana. When confronted, he admitted to the use and requested further assistance. He has already been referred for Driving While Impaired treatment and mental health treatment. We recommend the following condition be added to his supervision to allow us to refer him to additional drug treatment and increase his drug testing. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

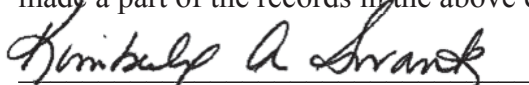
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Van R. Freeman, Jr.
Van R. Freeman, Jr.
Deputy Chief U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: 910-354-2542
Executed On: July 29, 2016

ORDER OF THE COURT

Considered and ordered this 29th day of July, 2016, and ordered filed and made a part of the records in the above case.


Kimberly A. Swank
U.S. Magistrate Judge